

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA :

v. :

GLENN GRIFFIN, :

Defendant. :

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ORDER

22 CR 390-1 (VB)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>4/14/25</u>
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On April 11, 2025, defendant Griffin submitted a “motion to alter or amend a denial of defendant’s motion to withdraw guilty plea” as well as a “memorandum of law in support of his motion to supplement and/or for reconsideration of the court’s opinion and order on defendant’s motion to withdraw guilty plea.” (Docs. ##126, 127). Notwithstanding the convoluted terminology (“alter or amend” vs. “supplement and/or for reconsideration”), Griffin is plainly seeking reconsideration of the Court’s Opinion and Order denying his motion to withdraw the guilty plea. The Opinion and Order is dated March 13, 2025, and was entered on the docket on March 14, 2025. (Doc. #117).

Defendant’s motion for reconsideration is untimely under SDNY Local Criminal Rule 49.1(b), which provides that a “motion for reconsideration of a court order determining a motion must be filed within 14 days after the court’s determination of the original motion.” The instant motion was filed 28 days after the court’s determination of the original motion.

Moreover, the accompanying memorandum of law is 15 pages in length (exclusive of the title page, the table of contents, and the table of authorities). This contradicts Rule 49.1(b)’s requirement that a memorandum in support of such a motion be “no longer than 10 pages in length.”

Finally, rather than “setting forth concisely the matters or controlling decisions that counsel believes the court has overlooked,” SDNY Local Criminal Rule 49.1(b), the motion

makes entirely new arguments that were not mentioned at all in the original motion to withdraw the guilty plea.¹

Thus, the Court is inclined to summarily deny the motion for violating the explicit requirements set forth in Rule 49.1(b). But, in the interests of ensuring a complete record in this case, the government is directed to file a response to the motion, not to exceed ten pages in length, by April 18, 2025. If defendant wishes to file a reply, he may do so by no later than April 21, 2025, and it shall not exceed five pages in length. No extensions will be granted.

Dated: April 14, 2025
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge

¹ Oddly, counsel cites Rule 59(e) of the Federal Rules of Civil Procedure as the procedural basis for his motion. That rule, of course, applies to civil cases, not criminal cases.